

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

NELSON VILLANUEVA HERNANDEZ

DEBTOR(S)

CASE NO: 09-08276-SEK

CHAPTER 13

TRUSTEE'S POSITION REGARDING DEBTOR'S MOTION TO SET ASIDE
DISMISSING CASE
DKT. 67

COMES NOW, Alejandro Oliveras Rivera, Standing Chapter 13
Trustee, and very respectfully, **ALLEGES, STATES and PRAYS:**

1. This Honorable Court entered an order dismissing the present case on February 15, 2011.
2. On March 1, 2011 debtor's filed a "Motion to set aside order dismissing case". For the following reasons, the Trustee opposes the reconsideration of the dismissal.
3. Debtor continues to be in arrears with the payments to the Trustee as follows:

The amount that should have been paid is	\$ 8,500.00
Receipts are	\$ 6,500.00
Debtor(s) is (are) ARREARS	\$ 2,000.00
Number of Months Delinquent 4	
DATE LAST PAYMENT RECEIVED	March 09, 2011

Trustee's Position to debtor motion
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WHEREFORE, it is respectfully requested from this Honorable Court to be informed of the above stated and issue the orders it deems appropriate and necessary.

RESPECTFULLY SUBMITTED.

NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party in interest whom this document has been served, or any other party to the action who objects the relief sought herein, shall serve and file an objection or other appropriate response to this document with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the document will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise. If you file a timely response, the Court may - in its discretion - schedule a hearing. 9013-1(h)(1).

CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends a notification of such filing to all parties in this case registered for receipt of notice by electronic mail. I further certify that the foregoing document has been served to the U.S. Trustee at ustregion21.hr.ecf@usdoj.gov and by depositing true and correct copies thereof in the United States Mail, postage prepaid, to the non CM/ECF participants: debtor(s) at their address of record.

In San Juan, Puerto Rico, this 10th day of March, 2011.

s/**ALEJANDRO OLIVERAS RIVERA**
CHAPTER 13 TRUSTEE
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